



Entered on Docket
May 19, 2011

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

TIFFANY & BOSCO, P.A.
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U.S. Bank National Association, as Trustee for the Structured Asset Securities Corporation
Mortgage Pass-Through Certificates, 2006-EQ1

09-73916

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Van Huynh

Debtor.

BK-S-09-30236-mkn

MS Motion No. 50
Date: April 27, 2011
Time: 2:30 PM

Chapter 13

ORDER REINSTATING AUTOMATIC STAY AND FOR
ADEQUATE PROTECTION AS TO SECURED CREDITOR, US BANK NA

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing
in the above-entitled Court, all appearances as noted on court record, and based upon all the
papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Automatic Stay as to
 2 Secured Creditor is reinstated.

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the
 4 post-petition arrearages currently due as follows:

5	7 Monthly Payments(s) at \$1,184.67	\$8,292.69
6	(October 1, 2010 - April 1, 2011)	
7	7 Late Charge(s) at \$54.06	\$378.42
8	(October 1, 2010 - April 1, 2011)	
9	Property Inspections	\$15.00
	Motion for Relief Filing Fee	\$150.00
	Attorneys Fees	\$550.00
	Total	\$9,386.11

10 The total arrearage shall be paid in six monthly installments. Payments one through five
 11 (1-5) in the amount of \$1564.36 and shall be in addition to the regular monthly payment and
 12 shall be due on or before the 20th day of the month commencing with the May 20, 2011
 13 payment and continuing throughout and concluding on or before September 20, 2011. The sixth
 14 final payment in the amount of \$1564.31 shall be paid on or before October 20, 2011.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume
 16 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
 17 beginning with the May 1, 2011, payment, on Secured Creditor's Trust obligation, encumbering the
 18 subject Property, generally described as 5855 Valley Drive #2002 , North Las Vegas, NV 89031,
 19 and legally described as follows:

20 Parcel I:

21 Unit Five (5) in Building One (1) of Jasmine Unit 1, a condominium subdivision filed
 22 pursuant to the provisions of N.R.S. 116 recorded in Book 104 of Plats, Page 79, in the
 23 official records of the county recorder, Clark County, Nevada, and as defined in that certain
 declaration of restrictions (enabling declaration establishing a plan for condominium
 ownership of Jasmine Unit 1) recorded September 24, 2002 in Book 20020924 of official
 records, Clark County, Nevada, as Document No. 01923.

24 Parcel II:

25 An undivided 1/8th interest in and to the common element as shown upon the plat of
 26 Jasmine Unit 1, a condominium subdivision filed pursuant to the provisions of N.R.S. 116
 recorded in Book 104 of Plats, Page 79, in the official records of the county recorder, Clark
 County, Nevada, and as defined in that certain declaration of restrictions (enabling
 declaration establishing a plan for condominium ownership of Jasmine Unit 1) recorded
 September 24, 2002 in Book 20020924 of official records, Clark County, Nevada, as
 Document No. 01923.

1 Parcel III:

2 An exclusive use easement over that portion of the common element shown as appurtenant
3 decks, balconies, patios, garages, entry areas and stairs which areas shall be referred to as
4 limited common elements as shown upon the plat of Jasmine Unit 1 a condominium
5 subdivision filed pursuant to the provisions of N.R.S 116 recorded in Book 104 of Plats,
Page 79, in the official records of the county recorder, Clark County, Nevada, and as
defined in that certain declaration of restrictions (enabling declaration establishing a plan
for condominium ownership of Jasmine Unit 1) recorded September 24, 2002 in Book
20020924 of official records, Clark County, Nevada, as Document No. 01923.

6 Parcel IV:

7 A non-exclusive easement for ingress and egress, public utilities and private streets over the
8 common element of the condominium project as shown upon the plat of Jasmine Unit 1 a
9 condominium subdivision med pursuant to the provisions of N.R.S 116 recorded in Book
10 104 of Plats, Page 79, in the official records of the county recorder, Clark County, Nevada,
and as defined in that certain declaration of restrictions (enabling declaration establishing a
plan for condominium ownership of Jasmine Unit 1) recorded September 24, 2002 in Book
20020924 of official records, Clark County, Nevada, as Document No. 01923.

11 Parcel V:

12 Reserving therefrom an easement for ingress, egress, use and enjoyment in and to the
13 common element and private streets, excepting therefrom those areas designated as limited
14 common elements for the benefit of future phases of Jasmine Unit 1 a condominium
15 subdivision filed pursuant to the provisions of N.R.S 116 recorded in Book 104 of Plats,
Page 79, in the official records of the county recorder, Clark County, Nevada, and as
defined in that certain declaration of restrictions (enabling declaration establishing a plan
for condominium ownership of Jasmine Unit 1) recorded September 24, 2002 in Book
20020924 of official records, Clark County, Nevada, as Document No. 01923.

16 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make
17 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
18 Creditor's obligation, allowing the normal grace period, then Secured Creditor may file and serve
19 upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition.
20 For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of
21 \$100.00, to be paid by the Debtors upon any reinstatement.

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1 If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured
2 Creditor may submit to this Court an Order vacating the automatic stay as to Secured
3 Creditor, and Secured Creditor may thereafter proceed with enforcing its Security interest in the
4 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
5 possession thereof.

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9 Submitted by:

10 TIFFANY & BOSCO, P.A

11
12 By  #10235

GREGORY L. WILDE, ESQ.

13 Attorneys for Secured Creditor
14 212 South Jones Boulevard
Las Vegas, Nevada 89107

15 APPROVED AS TO FORM & CONTENT:

16 Rick A. Yarnall

17 By _____

18 Rick A. Yarnall
19 Chapter 13 Trustee
20 701 Bridger Avenue #820
Las Vegas, NV 89101

Randolph Goldberg

By /s/ Randolph Goldberg

Randolph Goldberg
Attorney for Debtors
4000 S. Eastern Ave. #200
Las Vegas, NV 89119

21
22 Nevada Bar No. _____
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1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
3 reflects the court's ruling and that (check one):

4 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

5 ☐ No party appeared at the hearing or filed an objection to the motion.

6 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
7 any trustee appointed in this case any unrepresented parties who appeared at the hearing,
8 and each has approved or disapproved the order, or failed to respond, as indicated below.

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☒ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
18 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
19 order.

20 I declare under penalty and perjury that the foregoing is true and correct.

21 Submitted by:

22 /s/ Gregory L. Wilde, Esq.

23 Gregory L. Wilde, Esq.

24 Attorney for Secured Creditor

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